

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

IN RE BLUE CROSS BLUE SHIELD ANTITRUST LITIGATION MDL 2406	: : Master File 2:13-cv-20000-RDP : : : : This document relates to : Subscriber Track cases
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**MOTION CERTIFYING COMPLIANCE WITH THE COURT’S FEBRUARY 4, 2022
ORDER REGARDING SUPPLEMENTAL NOTICE**

On February 4, 2022, the Court entered an order directing Settlement Class Counsel to cause supplemental notice to issue to Self-Funded Entity Accounts. ECF No. 2897 (“Supplemental Notice Order”). Since that order issued, Settlement Class Counsel has worked with JND to implement the Supplemental Notice Plan, in the form approved by the Court, to provide notice to Self-Funded Entity Accounts, as described in the attached Declaration of Jennifer M. Keough regarding Supplemental Notice Plan and Settlement Administration (“Keough Decl.”).

By March 18, 2022, as required by the Supplemental Notice Order, JND: 1) sent more than 183,000 direct notices (postcards and emails) to Self-Funded Entity Accounts (Keough Decl. ¶ 5); 2) conducted a supplemental entity media campaign with digital notice placements on LinkedIn and top business and human resources websites, with nearly one million impressions (*id.* ¶ 6); 3) placed notices in leading business and healthcare employee benefits e-newsletters, sent to over 1.4 million subscribers (*id.* ¶ 7); and 4) purchased keywords related to the Settlement, particularly those included in the Supplemental Notice, causing 26,509 impressions to be delivered (*id.* ¶ 8). This robust Supplemental Notice Plan provided the best notice practicable for Self-Funded Entity Accounts under Fed. R. Civ. P. 23. *Id.* ¶ 28.

The Supplemental Notice Plan provided Self-Funded Entity Accounts an opportunity to opt-out, or to object to the form of the Supplemental Notice, by May 2, 2022. *Id.* ¶ 27; *see also* Supplemental Notice Order at ¶ 5. As of May 10, 2022, JND has received 39 timely opt-out requests and 0 timely objections to the Supplemental Notice. Keough Decl. ¶ 27. A list of timely and valid exclusion requests is attached as Exhibit G to the Keough Declaration.

Settlement Class Counsel hereby certifies compliance with the Court's Supplemental Notice Order.

Date: May 10, 2022

Respectfully submitted,

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CERTIFICATE OF SERVICE

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